



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

August 13, 2020

BY ECF

The Honorable Jesse M. Furman
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *State of New York v. Trump*, No. 20 Civ. 5770 (JMF)
New York Immigration Coalition v. Trump, No. 20 Civ. 5781 (JMF)

Dear Judge Furman:

This Office represents Defendants in the above-captioned matter. We write respectfully to request a four-day extension of the briefing schedule in this matter. *See* ECF No. 53. If the Court grants the request, Defendants' opposition to Plaintiffs' motion and Defendants' cross-motion to dismiss shall be due on August 21, 2020 (original date was August 17, 2020); Plaintiffs' reply in support of their motion for summary judgment and preliminary injunction and opposition to Defendants' cross-motion to dismiss shall be due on August 28, 2020 (original date was August 24, 2020); and Defendants' reply in support of their cross motion to dismiss shall be due on September 2, 2020 (original date was August 27, 2020).

Defendants need the additional time in order to properly respond to Plaintiffs' motion and supporting declaration of Matthew Colangelo—a declaration, which with the attached additional declarations and other exhibits, was over 900 pages in length. In particular, Mr. Colangelo's declaration attached three lengthy expert declarations (along with 51 fact witness declarations). The large volume of materials that Plaintiffs would be filing in support of their motion was not known to the Court or Defendants when the Court set the briefing schedule on August 5. Defendants' counsel are in the process of working with agency personnel to respond to Plaintiffs' lengthy submission, but need additional time to do so. Further, the complex issues involved in this litigation require coordination among multiple components of the federal government, which Defendants need additional time to accomplish. Accordingly, Defendants respectfully request four additional days for their filing, with a corresponding extension of other deadlines, so that Defendants can adequately defend this matter.

This is Defendants' first request for an extension of time. Plaintiffs oppose this request and prefer to write separately to set forth their position, if warranted.

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August 13, 2020

Page 2

Respectfully submitted,

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cc: Counsel of Record (by ECF)